

UNITED STATES DISTRICT COURT
for the
Southern District of Ohio

United States of America)
v.)
Ricardo MENDOZA-Venegas)
aka Ricardo MENDOZA)

Case No.

2:19-mj-962

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 09, 2019 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section
8 U.S.C. 1326(a) & (b)(2)

Offense Description
Illegal re-entry of a removed alien subsequent to an aggravated felony
conviction

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.


Complainant's signature

Ronnie Winters, DO - ICE

Printed name and title



Judge's signature

Elizabeth A. Preston Deavers, U.S. Magistrate Judge

Printed name and title

Date: 12/12/2019City and state: Columbus, OH

AFFIDAVIT OF
RONNIE A. WINTERS
DEPORTATION OFFICER
IMMIGRATION AND CUSTOMS ENFORCEMENT

I, Ronnie A. Winters, being first duly sworn, depose and state as follows:

1. I am a Deportation Officer with eleven years of experience with United States Immigration and Customs Enforcement (ICE). I am assigned to the Columbus, Ohio Office of Enforcement and Removal Operations (ERO). I have investigated both criminal and administrative matters involving aliens in the United States. I have successfully completed the Immigration Enforcement Agent course at the Federal Law Enforcement Training Center (FLETC) at Glynco, GA.
2. During the course of investigating Ricardo MENDOZA-Venegas aka Ricardo MENDOZA, I have learned the following facts:
3. Ricardo MENDOZA-Venegas aka Ricardo MENDOZA is a citizen of Mexico with no legal status in the United States.
4. On or about June 11, 2009, in the Superior Court of California, Ricardo MENDOZA-Venegas aka Ricardo MENDOZA was convicted of Possession of Controlled Substance for Sale, a felony offense.
5. On or about August 03, 2009, an Immigration Judge ordered that Ricardo MENDOZA-Venegas aka Ricardo MENDOZA be removed to Mexico. On or about August 25, 2009, Ricardo MENDOZA-Venegas aka Ricardo MENDOZA was physically removed from the United States via Sasabe, AZ port of entry. On that day, MENDOZA-Venegas Ricardo MENDOZA surrendered his fingerprint and photo for Department of Homeland Security Form I-205 (Warrant of Removal/Deportation) and signed the same form. Ricardo MENDOZA-Venegas aka Ricardo MENDOZA's departure was witnessed by an Immigration Officer, who documented the departure by the way of his signature on Form I-205.
6. On or about February 07, 2012, Immigration and Customs Officers encountered Ricardo MENDOZA-Venegas aka Ricardo MENDOZA. Ricardo MENDOZA-Venegas aka Ricardo MENDOZA's Order of Removal from August 2009 was reinstated.
7. On or about February 15, 2012, Ricardo MENDOZA-Venegas aka Ricardo MENDOZA was charged with 8 U.S.C. §1326(a)(b)(1) in the United States District Court District of Arizona. On or about June 18, 2012, Ricardo MENDOZA-Venegas aka Ricardo MENDOZA was found guilty of 8 U.S.C. §1326(a)(b)(1), a felony offense.

8. On or about July 13, 2012, Ricardo MENDOZA-Venegas aka Ricardo MENDOZA was physically removed from the United States via Nogales, AZ port of entry. On that day, Ricardo MENDOZA-Venegas aka Ricardo MENDOZA surrendered his fingerprint and photo for Department of Homeland Security Form I-205 (Warrant of Removal/Deportation) and signed the same form. Ricardo MENDOZA-Venegas aka Ricardo MENDOZA's departure was witnessed by an Immigration Officer, who documented the departure by the way of his signature on Form I-205.
9. On or about September 19, 2013, Ricardo MENDOZA-Venegas aka Ricardo MENDOZA was encountered by the United States Customs and Border Patrol. On or about was served Form I-860 (Notice and Order of Expedited Removal). On or about September 19, 2013, Ricardo MENDOZA-Venegas aka Ricardo MENDOZA was physically removed from the United States via Calexico, CA port of entry. On that day, Ricardo MENDOZA-Venegas aka Ricardo MENDOZA surrendered his fingerprint and photo for Department of Homeland Security Form I-96 (Notice to Alien Ordered Removed, Departure Verification) and signed the same form. Ricardo MENDOZA-Venegas aka Ricardo MENDOZA's departure was witnessed by an Immigration Officer, who documented the departure by the way of his signature on Form I-296.
10. On or about December 30, 2013, Immigration and Customs Officers encountered Ricardo MENDOZA-Venegas aka Ricardo MENDOZA. Ricardo MENDOZA-Venegas aka Ricardo MENDOZA's Order of Removal from August 2009 was reinstated. On or about November 06, 2014, Ricardo MENDOZA-Venegas aka Ricardo MENDOZA was physically removed from the United States via Nogales, AZ port of entry. On that day, Ricardo MENDOZA-Venegas aka Ricardo MENDOZA surrendered his fingerprint and photo for Department of Homeland Security Form I-205 (Warrant of Removal/Deportation) and signed the same form. Ricardo MENDOZA-Venegas aka Ricardo MENDOZA's departure was witnessed by an Immigration Officer, who documented the departure by the way of his signature on Form I-205.
11. On or about December 6, 2019, Immigration and Customs Officers encountered Ricardo MENDOZA-Venegas aka Ricardo MENDOZA subsequent to an arrest for falsification by the Columbus, Ohio Police Department. Immigration Officials assigned to the Columbus, Ohio Field Operations Unit responded to the Columbus, Ohio Police Headquarters to interview Ricardo MENDOZA-Venegas aka Ricardo MENDOZA. Ricardo MENDOZA-Venegas aka Ricardo MENDOZA admitted to being in the United States without permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security for this re-entry into the United States.
12. Your Affiant submits that the foregoing facts establish probable cause that Ricardo MENDOZA-Venegas aka Ricardo MENDOZA has committed a

violation of 8 U.S.C. §1326(a) and §1326(b)(2), in that Ricardo MENDOZA-Venegas aka Ricardo MENDOZA is an alien who, subsequent to an aggravated felony conviction, was denied admission, excluded, deported, or removed, or departed the U.S. while an order of exclusion, deportation or removal was outstanding, and thereafter entered, attempted to enter, or at any time was found in the United States, and did not have consent from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States prior to either his re-embarkation at a place outside the U.S. or his application for admission from a foreign contiguous territory.



Ronnie A. Winters
Deportation Officer
Immigration and Customs Enforcement

Sworn before me and subscribed in my presence on this 12 day of December
2019.



Hon. Elizabeth A. Preston Deavers
United States Magistrate Judge
Southern District of Ohio